



City of Marietta
Meeting Minutes
JUDICIAL/LEGISLATIVE COMMITTEE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Philip M. Goldstein, Chairperson
Van Pearlberg
Jim King

Wednesday, November 29, 2006

Fourth Floor Conference Room

Immediately following the Parks, Recreation and Tourism Committee

Presiding: Philip M. Goldstein

Present: James W. King and Irvan A. "Van" Pearlberg

Also Present:

William B. Dunaway, Mayor

Annette Lewis, Council - Ward 1

Grif Chalfant, Council - Ward 2

Holly Marie Walquist, Council - Ward 3

Rev. Anthony Coleman, Council - Ward 5

William F. Bruton, Jr., City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Philip M. Goldstein called the meeting to order at 7:48 p.m.

MINUTES:

20061184 Regular Meeting - October 25, 2006

Review and approval of the October 25, 2006 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Approved. The motion carried by the following vote:

Vote: 3 - 0 - 0

Approved

BUSINESS:

20061278 Weekend Directional Signs

Requested information regarding weekend directional signage requirements.

Development Services Director Brian Binzer presented the proposed amendments to the Sign Ordinance regarding Weekend Directional Signs. Staff recommends deleting the WEDS (Weekend Directional Sign) classification and replacing it with two new classifications:

1) Temporary-local directional signs (T-LDS): T-LDS are defined as short-term signs that direct attention to or conveys directions through the use of words, symbols, arrows or otherwise, to a temporary or non-permanent event or happening such as a church or community gathering, yard sale, moving sale, estate sale or the sale of an individual house. These types of signs would be

exempt from any permit requirements.

2) Weekend Subdivision Directional Signs (WSDS): WSDS are defined as temporary signs providing directions to a residential subdivision offering new houses for sale. "New" is defined as houses located in a subdivision that has filed its final subdivision plat within two years of obtaining the permit for such temporary sign. These types of signs would require a permit issued by the code enforcement department.

The addition of these two new temporary sign categories should allow staff to exert tighter control over the abundance of real estate signage throughout the Marietta.

Discussion was held and there was general agreement to require removal of the T-LDS within 24 hours after the event to which it provided direction.

Motion to authorize advertisement of proposed amendments to Division 714 Comprehensive Development Code regarding Weekend Directional Signs.

The motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Consent Agenda

(A notation should be place on the agenda showing Van Pearlberg opposing this matter.)

On a similar matter, discussion was held regarding signs that are internally illuminated. Council member Goldstein suggested that white backgrounds be allowed on signs that are internally illuminated. There was general agreement to move forward with this matter. (See agenda item 20061316)

20061316 Comprehensive Development Code Division 714, Signs

Motion to authorize advertisement of an amendment to the Comprehensive Development Code Division 714 to allow white backgrounds on signs that are internally illuminated.

The motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Consent Agenda

20061279 Billboards discussion

Clear Channel proposal regarding billboards.

Motion to authorize advertisement of an amendment to the Sign Ordinance to prohibit LCD signage within the City of Marietta.

The motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 2 – 1 – 0

Recommended for Approval - Consent Agenda

Voting Against: Van Pearlberg

(A notation should be place on the agenda showing Van Pearlberg opposing this matter.)

20061281 Billboard Signs

Advertisement to annex billboard signs located within unincorporated islands on Powder Springs Road.

Motion to authorize advertisement to annex unincorporated islands and billboard signs located on Powder Springs Road.

The motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 – 0 – 0

Recommended for Approval - Consent Agenda

20061283 Four-sided architecture

Review and approval of four-sided architecture pamphlet and definition.

Discussion was held regarding the four-sided architecture pamphlet and the definition to be included in the pamphlet. Concern was expressed regarding language that suggests that new developments match the fabric of the neighborhood. In many cases, developments should enhance the overall appearance of the neighborhood. The pamphlet should also note that plastic awnings or those that appear to be plastic should not be included.

Further discussion was held and there was general agreement to merge the two four-sided architecture definitions listed. This matter was forwarded to the Committee of the Whole meeting for review. An agenda item should also be placed on the Council agenda for advertisement.

This matter was Referred to the COMMITTEE OF THE WHOLE.

20061284 Revisions to definition of nuisances

Proposed amendment to Section 10-8-010, definitions, regarding obstructions in the public right-of-way.

Motion to authorize advertisement of proposed amendments to Section 10-8-010 of the Marietta Municipal Code regarding obstructions in the public right-of-way.

The motion was made by Council member Pearlberg, seconded by Council member

King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Consent Agenda

20061285 Proposed revision to protect public right-of-way

Revision to Section, 10-4-060, regarding misuse of public right-of-way

Motion to authorize advertisement of proposed revisions to Section, 10-4-060 of the Marietta Municipal Code regarding misuse of public right-of-way.

The motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Consent Agenda

20061286 Proposed revision to eliminate gravel driveways

Proposed revision to Section, 716.08, parking in residential districts.

Motion to authorize advertisement of proposed revisions to Section, 716.08 of the Comprehensive Development Code regarding Parking in Residential Districts.

The motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:

Vote: 3 - 0 - 0

Recommended for Approval - Non Consent Agenda

20061289 Detailed Plan for Homeland Self Storage

Requested Approval of revised landscape plan to be included with the Detailed Plan for Homeland Self-Storage at 1897 West Oak Parkway (West Oak Center)

Discussion was held regarding the revised landscape plan to be included with the Detailed Plan for Homeland Self-Storage at 1897 West Oak Parkway (West Oak Center). Mr. Waylon Hogue, of Keystone Development Services, LLC, and representing Homeland Self Storage, explained the landscape plan for the original Detailed Plan indicated a row of street trees to be planted along Sandy Plains Road in accordance with City Code. However, due to the existence of an 18' gas main, Mr. Hogue has indicated that six of these trees will not be able to be planted. This would mean that for a distance of approximately 220 feet, there would be no trees along the frontage of Sandy Plains Road. According to Mr. Hogue, a representative of the Atlanta Gas Light Company told him that there was no way for trees to be planted inside of the 10-foot landscape strip as previously shown on the plans.

Further discussion was held and there was general agreement to move this matter forward to the Committee of the Whole meeting. The applicant was asked to amend the landscape plan that would address the issue of trees and/or shrubbery along the frontage of Sandy Plains Road.

This matter was Referred to the COMMITTEE OF THE WHOLE.

20061292 Enforcement of graffiti violations

Council request for the discussion of time requirements for Code Enforcement on graffiti violations.

Discussion was held regarding time requirements for Code Enforcement on graffiti violations. City Attorney Douglas Haynie was directed to research state law regarding this matter. This matter was tabled until the next Committee meeting for further discussion.

This matter was Tabled.

20061300 Fire Agreement

Update on Fire Agreement negotiations with Cobb County.

A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Referred to the COMMITTEE OF THE WHOLE. The motion carried by the following vote:

Vote: 3 - 0 - 0

Referred

OTHER BUSINESS:

Discussion was held regarding the unpleasant traffic conditions on Cobb Parkway created by those dropping off and picking up students from the Walker School. It was suggested that the City Manager meet with representatives from the Walker School to determine what can be done to eliminate the problem.

ADJOURNMENT:

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____



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